

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: CHIQUITA D. MOSLEY

CHAPTER 7

DEBTOR

CASE NO. 13-10774 JDW

**MOTION TO VACATE RE: ORDER FOR RELIEF
FROM AUTOMATIC STAY [DOCKET NO. 52]**

COMES NOW, Chiquita D. Mosley, by and through her attorney and files this her Motion to Vacate Re: Order for Relief from Automatic Stay [docket no. 52], and in support thereof would state as follows:

1. On August 27, 2013, this Court entered its Order for Relief from Automatic Stay regarding the Debtor's 2007 Dodge Durango.

2. Debtor had every intention of bringing her account current with the creditor prior to the hearing on the motion. However, Debtor was unable to pay all of what was past due. Debtor is now requesting that her Chapter 7 Bankruptcy be converted to a Chapter 13 Bankruptcy in order to allow her to pay for her vehicle over the life of her bankruptcy plan. This is the only vehicle the Debtor has for transportation to work and for transporting her children. She also is fully employed and will be able to make the monthly bankruptcy payment to the Court.

3. The Debtor requests that this Court vacate the Order entered on August 27, 2013 to allow her case to be converted to a Chapter 13 and a plan to be filed with the Court.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that upon notice and hearing that this Court will enter its order sustaining the Motion to Vacate and for such other relief

as the Debtor may be entitled.

RESPECTFULLY SUBMITTED,

/s/Karen B. Schneller

KAREN B. SCHNELLER, MSB # 6558
ATTORNEY AT LAW
POST OFFICE BOX 417
HOLLY SPRINGS, MISSISSIPPI 38635
(601) 252-3224

CERTIFICATE OF SERVICE

I, Karen B. Schneller, Attorney for Debtor, do hereby certify that I have this day mailed, via electronic delivery or postage prepaid, a true and correct copy of the above and foregoing Motion To Vacate:

Charles H. Keeton, Esq.
115 Builders Square Drive
Brandon, MS 39047

Stephen Livingston, Esq.
Chapter 7 Trustee
P. O. Box 729
New Albany, MS 38652

U. S. Trustee
501 East Court Street, Suite 6-430
Jackson, Mississippi 39201

This the 9th day of September, 2013.

/s/Karen B. Schneller
KAREN B. SCHNELLER